UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,513	12/11/2003	Joachim Bender	000005-006000US	1575

58735 7590 01/09/2008

CHAD R. WALSH
900 LAFAYETTE STREET
SUITE 509
SANTA CLARA, CA 95050

EXAMINER	
KHATRI, ANIL	
ART UNIT	**PAPER NUMBER**
2191	

MAIL DATE	DELIVERY MODE
01/09/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/735,513	BENDER, JOACHIM	
	Examiner	Art Unit	
	Anil Khatri	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 November 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Amendment

1. This action is in response to the request for reconsideration filed on 11/8/07.
2. As per applicant's request claims 1, 6 and 13 and speciation have been are amended.
3. Examiner has withdrawn rejection under 35 USC 101 of claims 1-21 upon clarification and amendment filled by the applicant.
4. Examiner has withdrawn rejection under 35 USC 112 2nd of claim 6 upon clarification and amendment filled by the applicant.
5. As per applicant request claims 1-21 has been considered but they are not persuasive.
6. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by *Schloegel et al* USPN 7,219,328.

In remarks applicant argues,

I. Re-generating main development objects when changes have occurred in related development objects. One element of the product includes determine whether any identified main development have changed.

II. Re- generate the main development object if any identifies main development objects have changed thereby only regenerating development object when necessary.

III. Using incremental generation to develop applications.

In response to applicant's arguments,

I. It was noted that cited reference fairly suggest the re-generating main development objects when changes have occurred in related development objects. One element of the product includes determine whether any identified main development have changed (column 14, lines 7-24, Code generation merely changes the form of the information that is specified in one or more models from one form (e.g., graphical) to another (e.g., textual). As such, the code generated during the execution of code generator routines need not be textual such as source code and the other textual code described above. Instead, the execution of compassable code generation routines may result in new non-textual artifacts such as new instance models. For example, the execution of compassable code generation routines on an embedded system model depicting the hardware and software that are required to provide the memory, processing, and communication resources may result in the instantiation of a new resource model conforming to a different modeling notation. This model could depict the same information that was specified in the hardware and software models, but in a new resource-centric way. That is, a new view of the same information specified in the existing models could automatically be created). Therefore, examiner interprets that reference allows to make changes from the model to code generation eventually a new product in the family as it re generates the new code and new software as requirements changes.

II. It was noted that reference fairly suggest re- generate the main development object if any identifies main development objects have changed thereby only regenerating development object when necessary (column 4, lines 43-67 and column 5, lines 1-6, according to this

framework, code generators are composed of modular entity-specific code generator routines that are attached directly to graphical modeling entities or the meta data of the model-based entities or a collection of modeling entities. The attachment may be implemented as calls to the code generator routines that are embedded in the graphical modeling entities, as URL or other links or paths from the graphical modeling entities to the code generator routines, etc. Attaching a routine to a meta-entity in effect attaches it to all instances of that entity type in all instance models that conform to the modeling notation. Attaching a routine to a collection of modeling entities in effect attaches it to all of the individual modeling entities or meta-entities that make up the collection. Also, as there are many different types of code that can be generated, each entity or meta-entity or group of entities can have multiple routines of different purposes attached to them. The specific code generation routine that performs a given purpose can be selected by providing a key. Consequently, the code generators according to the present invention are not written as monolithic programs that are separate from their corresponding graphical models as has been the past practice. Code generation according to the framework of the present invention is accomplished by traversing through the entities of the graphical model, querying each graphical model entity that is encountered for a specific code generator routine and then executing each accessed code generator routine. Querying an entity for its applicable routine can be performed as a subroutine call from within another routine (or general purpose program). Therefore, one routine can access and execute another routine dynamically during its own execution). Therefore, examiner interprets that when changes are necessary method allows and emphasis added (column 4,lines 56-57, there are many different

type of code can be generated...) as main development object has changed (see figures 1-6) depicting for new classes and object in the model.

III. It was noted that cited reference also suggest using incremental generation to develop applications (column 9, lines 43-54, the use of generator specialization in model-based compassable code generation provides a new kind of composability for constructing model-based code generators that can be incrementally constructed, maintained, and extended as meta models and instance models evolve. Code can be generated from these specialized code generators using base code generator routines in a manner that is functionally equivalent to the way in which code is currently generated. At the same time, instance, stereotype, scoped, and cross-domain specialization can be applied seamlessly in support of special case and cross-domain code generation). Therefore, examiner interprets that incremental approach has been used to develop the software in question.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri whose telephone number is 571-272-3725. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

***

ANIL KHATRI
PRIMARY EXAMINER